

Gp 2761



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jay S. Walker et al.)

For: METHOD AND APPARATUS) Examiner: Not Yet Assigned
 FOR FACILITATING)
 ELECTRONIC COMMERCE)
 THROUGH PROVIDING)
 CROSS-BENEFITS DURING A)
 TRANSACTION)
 Serial No.: 09/219,267) Group Art Unit: 2761
 Filing Date: December 23, 1998) Docket No.: WD2-98-109

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H.C.
D. Cottin
7-26-99

Assistant Commissioner for Patents
 Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

Applicants hereby submit the following documents for the above-identified patent application:

1. Supplemental Information Disclosure Statement;
2. Form PTO-1449;
3. Copy of one hundred three (103) references cited therein; and
4. Return Receipt Postcard.

The Commissioner is hereby authorized to charge \$ 0.00 to Deposit Account No. 50-0271 for the fees required for the enclosed Information Disclosure Statement. The Commissioner is further authorized to charge any further required fees, or to credit any overpayment, to Deposit Account No. 50-0271. A duplicate copy of this authorization is attached for such purpose.

Respectfully submitted,

D. Alderucci
 Dean Alderucci
 Attorney for Applicants
 PTO Reg. No. 40,484
 Walker Digital Corporation
 One High Ridge Park
 Stamford, CT 06905

June 28, 1999

Date

Certificate of Mailing

I hereby certify that this correspondence is being sent via first class mail in an envelope with sufficient postage addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on June 28, 1999.

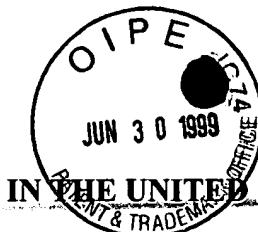
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Amy E. Sauther
 Signature

June 28, 1999

Date



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Assistant Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed below and on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider these items and to independently ascertain their teaching.

- A. U.S. Patent 3,573,747 entitled "INSTINET COMMUNICATION SYSTEM FOR EFFECTUATING THE SALE OR EXCHANGE OF FUNGIBLE PROPERTIES BETWEEN SUBSCRIBERS," issued to Adams et al. on April 6, 1971.
- B. U.S. Patent 4,108,361 entitled "UNIVERSAL MARK SENSE BETTING TERMINAL SYSTEM AND METHOD," issued to Stephen R. Krause on August 22, 1978.
- C. U.S. Patent 4,323,770 entitled "UNIT PARTICULARLY FOR TAKING STAKES AND POSSIBLY DETERMINING THE WINNERS IN A GAME SUCH AS A NATIONAL LOTTO GAME," issued to Dieulot et al. on April 6, 1982.
- D. U.S. Patent 4,494,197 entitled "AUTOMATIC LOTTERY SYSTEM," issued to Troy et al. on January 15, 1985.
- E. U.S. Patent 4,669,730 entitled "AUTOMATED SWEEPSTAKES-TYPE GAME," issued to Small on June 2, 1987.
- F. U.S. Patent 4,677,553 entitled "SECURE PLACEMENT OF CONFIDENTIAL INFORMATION ON A CIRCULATED BLANK TICKET," issued to Roberts et al. on June 30, 1987.
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- P. U.S. Patent 4,859,838 entitled "POS TERMINAL DEVICE," issued to Okiharu on August 22, 1989.
- Q. U.S. Patent 4,882,473 entitled "ON-LINE WAGERING SYSTEM WITH PROGRAMMABLE GAME ENTRY CARDS AND OPERATOR SECURITY CARDS," issued to Bergeron et al. on November 21, 1989.
- R. U.S. Patent 4,903,201 entitled "AUTOMATED FUTURES TRADING EXCHANGE," issued to Wagner on February 20, 1990.
- S. U.S. Patent 4,922,522 entitled "TELECOMMUNICATIONS ACESSTO LOTTERY SYSTEMS," issued to Scanlon on May 1, 1990.
- T. U.S. Patent 4,937,853 entitled "LOTTERY AGENT DATA COMMUNICATION/TELEPHONE LINE INTERFACE," issued to Brule et al. on June 26, 1990.
- U. U.S. Patent 4,982,337 entitled "SYSTEM FOR DISTRIBUTING LOTTERY TICKETS," issued to Burr et al. on January 1, 1991.
- V. U.S. Patent 4,993,714 entitled "POINT OF SALE LOTTERY SYSTEM," issued to Golightly on February 19, 1991.
- W. U.S. Patent 5,021,953 entitled "TRIP PLANNER OPTIMIZING TRAVEL ITINERARY SELECTION CONFORMING TO INDIVIDUALIZED TRAVEL POLICIES," issued to Webber et al. on June 4, 1991.
- X. U.S. Patent 5,025,372 entitled "SYSTEM AND METHOD FOR ADMINISTRATION IF INCENTIVE AWARD PROGRAM THROUGH USE OF CREDIT," issued to Burton et al. on June 18, 1991.
- Y. Stevens, Lawrence. "HYPERMARKET CHALLENGE," Computerworld, Software and Services section, Pg. 25, December 19, 1988.
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- DD. U.S. Patent 5,168,446 entitled "SYSTEM FOR CONDUCTING AND PROCESSING SPOT COMMODITY TRANSACTIONS," issued to Wiseman on December 1, 1992.
- EE. U.S. Patent 5,189,607 entitled "METHOD FOR SENDING SELECTED DATA FROM ELECTRONIC CASH REGISTERS TO A HOST UNIT," issued to Shirasaki et al. on February 23, 1993.
- FF. U.S. Patent 5,202,826 entitled "CENTRALIZED CONSUMER CASH VALUE ACCUMULATION SYSTEM FOR MULTIPLE MERCHANTS," issued to McCarthy on April 13, 1993.
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- PP. U.S. Patent 5,305,195 entitled "INTERACTIVE ADVERTISING SYSTEM FOR ON-LINE TERMINALS," issued to Murphy on April 19, 1994.
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- SS. U.S. Patent 5,444,630 entitled "METHOD AND APPARATUS FOR APPLYING CUSTOMIZED RATING ADJUSTMENTS TO TRANSACTION CHARGES," issued to Dlugos on August 22, 1995.
- TT. U.S. Patent 5,450,938 entitled "CARD OR CASH ACTUATED VENDING MACHINE ASSEMBLY," issued to Rademacher on September 19, 1995.
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- XX. U.S. Patent 5,592,375 entitled "COMPUTER-ASSISTED SYSTEM FOR INTERACTIVELY BROKERING GOODS OR SERVICES BETWEEN BUYERS AND SELLERS," issued to Salmon et al. on January 7, 1997.
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- CCC. U.S. Patent 5,621,812 entitled "METHOD AND SYSTEM FOR BUILDING A DATABASE FOR USE WITH SELECTIVE INCENTIVE MARKETING IN RESPONSE TO CUSTOMER SHOPPING HISTORIES," issued to Deaton et al. on April 15, 1997.
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- III. U.S. Patent 5,652,421 entitled "METHOD AND APPARATUS FOR GENERATING GIFT CERTIFICATES," issued to Veeneman et al. on July 29, 1997.
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- QQQ. Del Rosso, Laura. "TICKET-BIDDING FIRM CLOSES ITS DOORS; MARKETEL INTERNATIONAL," Travel Weekly, Vol. 51, No. 21, Pg. 1, March 12, 1992.
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- UUU. Fickenscher, Lisa. "AMEX TO START FREE REWARDS PROGRAM WITH DISCOUNTS ON MERCHANDISE," The American Banker, Credit/Debit/ATMs section, Pg. 10, October 18, 1996.
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- FFFF. Brochure: "TIRED OF SHOPPING FOR THE BEST HOME LOAN?" Mortgage
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- GGGG. Website: "THE LOAN PROCESS," Mortgage Loan Specialists,
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- HHHH. Website: "HOMESHARK REFINANCE CHECK," HomeShark, Inc.,
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- III. Website: "TRADINGFLOOR.COM," Homepage: www.tradingfloor.com/info/htm,
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- JJJJ. Website: "THE NASDAQ MARKET, INC. ("NASDAQ") CONSOLIDATED
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- KKKK. Website: "WHAT IS NASDAQ?" Homepage:
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1. [] Any copy of the items listed above and on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior [] Continuation, [] Divisional or [] Continuation in part application filed under 37 C.F.R. §§ 1.53 or 1.60, U.S. Serial No. _____, filed _____.
2. [] For each of the following items listed above and on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____.
3. [] For each of the following items listed above and on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____.
4. [] In addition to the citations listed above, applicants respectfully direct the Examiner's attention to the following U.S. patent applications, which are commonly assigned to the assignee of the instant application, and which may be deemed pertinent to the instant application:

<u>Serial No.</u>	<u>Inventors</u>	<u>Filing Date</u>	<u>Group Art Unit</u>	<u>Examiner's Init.</u>
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The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. These applications have not been listed on the accompanying Form PTO-1449 in order to preserve their secrecy during the course of their prosecution.

5. [X] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
 - [] 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
 - [] 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.
 - [X] 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.
6. [] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 5 above but before the mailing date of a

final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 10 below.

7. [] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 5 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 11 below.
8. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
 - a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 10 below; and
 - b. the attached petition requesting consideration of this Information Disclosure Statement; and
 - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 11 below.
9. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:
 - [] 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;
 - [] 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.
 - [] The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 11 below.
10. [] I hereby certify:
 - [] that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent

office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.

- [] that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

11. [] Please accept payment of the fees due as indicated below:

- [] A check in the amount of \$240.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).
- [] The Commissioner is hereby authorized to charge \$240.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p). A duplicate copy of this sheet is attached for such purpose
- [] A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).
- [] The Commissioner is authorized to charge \$130.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(i)(1). A duplicate copy of this sheet is attached.

12. [X] The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

Respectfully submitted,



Dean Alderucci
Attorney for Applicants
PTO Reg. No. 40,484
Walker Digital Corporation
One High Ridge Park
Stamford, CT 06905
(203) 705-3006 (phone)
(203) 595-8266 (fax)

June 28, 1999

Date